

## UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin

Case No. **23-M-395 (SCD)**

In the Matter of the Tracking of  
(Identify the person, property, or object to be tracked)

An unknown model year, maroon Honda CR-V  
without a license plate ("SUBJECT VEHICLE"),  
located at 6523 North Fresno Street, Milwaukee, WI  
53224-5348

## TRACKING WARRANT

To: Any authorized law enforcement officer

An application by a federal law enforcement officer or an attorney for the government shows there is reason to believe that the person, property, or object described above has been involved in and likely will continue to be involved in the criminal activity identified in the application, and ☒ is located in this district; ☐ is not now located in this district, but will be at execution; ☐ the activity in this district relates to domestic or international terrorism; ☐ other:

I find that the affidavit(s), and any recorded testimony, establish probable cause to believe that  
(check the appropriate box) ☐ using the object ☒ installing and using a tracking device  
to monitor the location of the person, property, or object will satisfy the purpose set out in Fed. R. Crim. P. 41(c) for issuing a warrant.

☒ I find entry into the following vehicle or onto the following private property to be necessary without approval or knowledge of the owner, custodian, or user of the vehicle or property for installing, maintaining, and removing the tracking device: An unknown model year, maroon Honda CR-V without a license plate ("SUBJECT VEHICLE"), and 6523 North Fresno Street, Milwaukee, Wisconsin driveway.

**YOU ARE COMMANDED** to execute this warrant and begin use of the object or complete any installation authorized by the warrant by 6/26/23 (no later than 10 days from the date this warrant was issued) and may continue to use the device until 7/31/23 (no later than 45 days from the date this warrant was issued). The tracking may occur within this district or another district. To install, maintain, or remove the device, you may enter (check boxes as appropriate)

☒ into the vehicle described above ☐ onto the private property described above  
☐ in the daytime 6:00 a.m. to 10:00 p.m. ☒ at any time in the day or night because good cause has been established.

Within 10 calendar days after the use of the tracking device has ended, the officer executing this warrant must both return it to (United States Magistrate Judge) Hon. Stephen C. Dries and — unless delayed notice is authorized below — serve a copy of the warrant on the person who, or whose property or object, was tracked.

☒ Pursuant to 18 U.S.C. § 3103a(b)(1), I find that immediate notification may have an adverse result listed in 18 U.S.C. § 2705 (except for delay of trial), and this warrant prohibits the seizure of any tangible property or any wire or electronic communications (as defined in 18 U.S.C. § 2510). I therefore authorize the officer executing this warrant to delay notice to the person who, or whose property or object, will be tracked (check the appropriate box)

☐ for \_\_\_\_\_ days (not to exceed 30) ☒ until, the facts justifying, the later specific date of 09/14/2023.

Date and time issued: 6-16-23. 2:05 pm

*Stephen C. Dries*  
Judge's signature

City and state: Milwaukee, Wisconsin

Honorable Stephen C. Dries, U.S. Magistrate Judge

Printed name and title

Case No. \_\_\_\_\_

## Return of Tracking Warrant With Installation

1. Date and time tracking device installed: \_\_\_\_\_
2. Dates and times tracking device maintained: \_\_\_\_\_
3. Date and time tracking device removed: \_\_\_\_\_
4. The tracking device was used from *(date and time)*: \_\_\_\_\_  
to *(date and time)*: \_\_\_\_\_.

## Return of Tracking Warrant Without Installation

1. Date warrant executed: \_\_\_\_\_
2. The tracking information was obtained from *(date and time)*: \_\_\_\_\_  
to *(date and time)*: \_\_\_\_\_.

## Certification

I declare under the penalty of perjury that this return is correct and was returned along with the original warrant to the designated judge.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Executing officer's signature*\_\_\_\_\_  
*Printed name and title*

Jun 16, 2023

s/ JDH

Deputy Clerk, U.S. District Court  
Eastern District of Wisconsin

## UNITED STATES DISTRICT COURT

for the

Eastern District of Wisconsin

In the Matter of the Tracking of  
(Identify the person to be tracked or describe  
the object or property to be used for tracking)

An unknown model year, maroon Honda CR-V  
without a license plate ("SUBJECT VEHICLE"),  
located at 6523 North Fresno Street, Milwaukee, WI  
53224-5348

Case No. **23-M-395 (SCD)**

## APPLICATION FOR A TRACKING WARRANT

I, a federal law enforcement officer or attorney for the government, have reason to believe that the person, property, or object described above has been and likely will continue to be involved in one or more violations of 21 U.S.C. § 841 & 846. Therefore, in furtherance of a criminal investigation, I request authority to install and use a tracking device or use the tracking capabilities of the property or object described above to determine location. The application is based on the facts set forth on the attached sheet.

- ☒ The person, property, or object is located in this district.  
☐ The activity in this district relates to domestic or international terrorism.  
☐ The person, property, or object is not now located in this district, but will be at the time of execution.  
☐ Other:

The tracking will likely reveal these bases for the warrant under Fed. R. Crim. P. 41(c): (check one or more)

- ☒ evidence of a crime;  
☐ contraband, fruits of crime, or other items illegally possessed;  
☐ property designed for use, intended for use, or used in committing a crime;  
☐ a person to be arrested or a person who is unlawfully restrained.

☒ I further request, for purposes of installing, maintaining or removing the tracking device, authority to enter the following vehicle or private property, or both:  
Surreptitiously enter 6523 North Fresno Street, Milwaukee, Wisconsin driveway to access the "SUBJECT VEHICLE", a maroon Honda CR-V bearing State of Wisconsin license plate AMW-3092.

☒ Delayed notice of 90 days (give exact ending date if more than 30 days: 09/14/2023) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

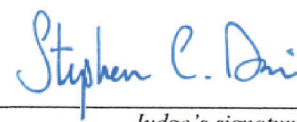


Applicant's signature

FBI TFO Brian Zangl

Applicant's printed name and title

Sworn telephonically and transmitted via email.

~~Sworn to before me and signed in my presence.~~Date: 6/16/23


Judge's signature

City and state: Milwaukee, Wisconsin

Stephen C. Dries, U.S. Magistrate Judge

Printed name and title

**AFFIDAVIT IN SUPPORT OF  
AN APPLICATION FOR A SEARCH WARRANT**

I, Brian Zangl, being first duly sworn, hereby depose and state as follows:

**INTRODUCTION AND AGENT BACKGROUND**

1. I make this affidavit in support of applications under Federal Rule of Criminal Procedure 41 and 18 U.S.C. § 3117 to authorize the installation and monitoring of a tracking device on an unknown model year, maroon Honda CR-V previously bearing State of Wisconsin license plate AMW-3092, with a distinct black painted front bumper and front passenger side quarter panel (“SUBJECT VEHICLE”). Based on the facts set forth in this affidavit, I believe that the “SUBJECT VEHICLE” is presently being used in furtherance of violations of distribution and possession with intent to distribute controlled substances, conspiracy to distribute and possess with the intent to distribute controlled substances, violations of Title 21, United States Code, Sections 841 and 846, and that there is probable cause to believe that the installation of a tracking device on the “SUBJECT VEHICLE” and use of the tracking device will lead to evidence, fruits, and instrumentalities of the aforementioned crimes as well as to the identification of individuals who are engaged in the commission of those and related crimes.

2. I am a State of Wisconsin certified law enforcement officer, employed as an Investigator with the Oak Creek Police Department, and have been a sworn law enforcement officer in the State of Wisconsin for 9 years. I am currently assigned to the Federal Bureau of Investigation’s Milwaukee Area Safe Streets Task Force (MASSTF), as a federally deputized Task Force Officer (TFO). Affiant is also federally deputized by the USMS. As such, affiant is an investigative or law enforcement officer of the United States within the meaning of Section 2510(7) of Title 18, United States Code, in that affiant is empowered by law to conduct investigations of and to make arrests for federal felony offenses. I have participated in the

execution of search warrants in various judicial districts, including the recovery of records, contraband, and other types of property. I also have experience installing and monitoring GPS tracking devices, and analyzing the data collected from those devices for use in criminal investigations.

3. The facts in this affidavit come from my personal observations, my training and experience, my review of documents, and information obtained from other agents and witnesses. This affidavit is intended to show merely that there is probable cause for the requested warrant and does not set forth all of my knowledge about this matter.

4. Based on my training and experience and the facts as set forth in this affidavit, there is probable cause to believe that Noel R. LOZANO (DOB XX/XX/1984), and other known and unknown co-conspirators, have committed violations of distribution and possession with intent to distribute controlled substances, conspiracy to distribute and possess with the intent to distribute controlled substances, violations of Title 21, United States Code, Sections 841 and 846. Based on the facts set forth in this affidavit, there is probable cause to believe that violations of those statutes have been committed, are being committed, and will be committed by Noel LOZANO and other known and unknown co-conspirators. There is also probable cause to believe that the location of the "SUBJECT VEHICLE" will constitute evidence of those criminal violations and will lead to the identification of individuals who are engaged in the commission of these offenses.

#### **PROBABLE CAUSE**

5. The MASSTF and local law enforcement have been investigating Noel R. LOZANO, David N. SCHLOSSER and other identified and unidentified persons involved with a drug trafficking organization (DTO). Since approximately September 2021 the DTO has been transporting methamphetamines through numerous counties of Wisconsin including, Milwaukee



County; Waukesha County; and Washington County. The investigation to date has included traditional law enforcement methods, including, but not limited to: interviews with confidential sources and sources of information; information gathered from other law enforcement officers; documentary evidence; telephone toll data; controlled drug evidence purchases, controlled meetings with targets, recorded telephone calls with targets, and controlled payments of money; and physical surveillance.

6. As part of the investigation into the DTO, case agents were made aware that SCHLOSSER who is located in West Bend, Wisconsin obtains controlled substances from LOZANO. LOZANO uses a variety of communication applications to distribute narcotics including Facebook and conventional cellular telephone text messaging and talk. Several other members of SCHLOSSER's DTO have been identified which include Andrew TRINKL, Tim LILLEY, Sharon WEIMER, and David Jakob KOENIG.

#### **A. Criminal History**

7. On February 7, 2021, case agents queried law enforcement databases regarding LOZANO criminal history. LOZANO has the following criminal arrests:

- a) May 25, 2004, arrest by Milwaukee County Sheriff for first manufacture/deliver THC ( $\leq 200$  Grams);
- b) July 11, 2003, arrest by Wauwatosa Police Department for disorderly conduct;
- c) September 28, 2003, arrest by Washington County Sheriff for resisting or obstructing an officer, possession of THC, and possess drug paraphernalia;
- d) April 27, 2004, arrest by Washington County Sheriff for operating while revoked and possess drug paraphernalia;
- e) February 12, 2008, arrest by Milwaukee Police Department for theft-movable property and battery;
- f) January 19, 2009, arrest by Milwaukee Police Department for possession with intent to deliver cocaine ( $> 5-15g$ ) -second/subsequent drug offense, maintain a drug trafficking place, possession with intent to deliver THC ( $> 200g$ - $1000g$ ) – second/subsequent drug offense, and possession with intent to deliver narcotics;

- g) October 10, 2016, arrest by Greenfield Police Department for possession/attempt to possess methamphetamines, possession of drug paraphernalia, possession of cocaine/coca, possession of Schedule I and II narcotic drugs;
- h) November 14, 2016, arrest by West Milwaukee Police Department for possession of cocaine/coca, possession of THC, and possession with intent to deliver cocaine (>5-15g);
- i) May 7, 2017, arrest by St. Francis Police Department for receiving stolen property >\$5000-\$10,000;
- j) August 5, 2017, arrest by Racine County Sheriff for possession of cocaine/coca, possession of drug paraphernalia, and felony bail jumping;
- k) January 31, 2018, arrest by Wauwatosa Police Department for hit and run, and resisting or obstructing an officer;
- l) March 8, 2018, arrest by Milwaukee Police Department for possession with intent to deliver cocaine (<=1g);
- m) June 6, 2018, arrest by Milwaukee County Sheriff for receiving stolen property >\$5000-\$10,000; and
- n) January 8, 2020, arrest by Milwaukee County Sheriff for possession with intent to deliver cocaine (>5-15g).

## **B. Controlled Buys**

8. As part of the investigation into the DTO, case agents have used a Confidential Human Source (“CHS”). CHS has contacted or was contacted by 414-399-4183 to conduct the purchase of methamphetamine. CHS received a price for the requested amount of methamphetamine and a meeting location for the delivery of methamphetamine from the Target Cell Phone.

9. During the below listed controlled buys of controlled substances the CHS placed a recorded phone call to the target, captured audio and video of the controlled purchase, was followed to and from the controlled purchase location, was searched before and after the controlled purchase with no drugs, money, or weapons located, debriefed after the controlled purchase, and the above evidence and statements reviewed and verified by law enforcement. Additionally, the controlled substances were all weighed and tested positive for the listed substance and the target

was identified by the CHS through photographs.

**a. First Controlled Drug Buy – January 17, 2023**

10. On January 17, 2023, at the direction of case agents, CHS set up a controlled buy of methamphetamine from Noel LOZANO using telephone 414-399-4183. LOZANO and CHS agreed to meet in the area of Fond du Lac Avenue and West Mill Road, Milwaukee, Wisconsin. CHS drove to the location and met with LOZANO. LOZANO provided suspected methamphetamine to CHS in exchange for US currency. Law Enforcement observed LOZANO operating a red 2013 Acura TSX, bearing State of Wisconsin license plate APU-8612, to the designated drug purchase location. Law Enforcement conducted a Wisconsin Department of Transportation record check of Wisconsin license plate APU-8612, with a registered owner of Christina VORPAGEL. Law Enforcement knows that VORPAGEL is the girlfriend of LOZANO. After the transaction, CHS met with case agents and turned over the suspected methamphetamine. The methamphetamine was tested with NARTEC METH-1 Methamphetamine/MDMA test kit and also with NARTEC Amphetamine/Opiates Marquis Reagent test kit. Both test results were positive. The weight of the methamphetamine was 10.3 grams. The methamphetamine was packaged and placed into evidence.

11. Prior to the controlled drug buy on January 17, 2023, case agents were conducting surveillance of 6523 North Fresno Street, Milwaukee, WI 53224-5348, which was believed to be an address associated with LOZANO. Case agents observed LOZANO exit 6523 North Fresno Street, Milwaukee, WI 53224-5348 and travel to the location where the controlled buy occurred with CHS.

**b. Second Controlled Drug Buy – January 26, 2023**

12. On January 26, 2023, under the supervision of case agents, CHS set up a controlled



buy of methamphetamine from LOZANO using telephone 414-399-4183. CHS met with target LOZANO near US45/Good Hope Road in Milwaukee County. LOZANO provided suspected methamphetamine to CHS in exchange for US currency. Law Enforcement observed LOZANO operating a red 2013 Acura TSX, bearing State of Wisconsin license plate APU-8612, to the designated drug purchase location. After the transaction, CHS met with case agents and turned over the methamphetamine. The methamphetamine was tested with NARTEC METH-1 Methamphetamine/MDMA test kit and NARTEC Amphetamine/Opiates Marquis Reagent test kit. Both test results were positive. The methamphetamine weighted 5.93 grams. The methamphetamine was packaged and placed into evidence

**c. Third Controlled Drug Buy – February 9, 2023**

13. On February 9, 2023, under the supervision of case agents, CHS set up a controlled buy of methamphetamine with LOZANO. CHS contacted Lozano at telephone number 414-399-4183. This transaction was set up with both telephone calls and text messages. CHS and LOZANO met in the area of North 104th Street and West Mill Road in Milwaukee, Wisconsin to conduct the transaction. LOZANO provided CHS with the suspected methamphetamine in exchange for US Currency. During this controlled buy, case agents observed Noel LOZANO driving a maroon Honda CR-V with Wisconsin license plate AMW-3092 (SUBJECT VEHICLE). After the transaction, CHS met with case agents and turned over the suspected methamphetamine. The total weigh was 6.81grams. The drugs were tested with NARTEC METH-1 Methamphetamine/MDMA and NARTEC AMPHETAMINE/OPIATES Marquis Reagent test kits. Both tests were positive for methamphetamine. The methamphetamine was packaged and placed into evidence.

**d. Fourth Controlled Drug Purchase – February 24, 2023**

14. On February 24, 2023, under the supervision of case agents CHS set up a controlled buy of methamphetamine with LOZANO. CHS contacted LOZANO at telephone number 414-399-4183. This transaction was set up by voice communication. CHS was instructed by LOZANO to meet in the area of North 89th Street and West Mill Road area in Milwaukee, Wisconsin. CHS met with Lozano and exchanged US Currency for suspected methamphetamine. Law Enforcement observed LOZANO conduct the drug transaction on foot, in the 8900 block of West Mill Road Milwaukee, Wisconsin. Law Enforcement knows that NOEL LOZANO has a listed address of 6523 North Fresno Street Milwaukee, Wisconsin. Law Enforcement has observed the red 2013 Acura TSX, bearing State of Wisconsin license plate APU-8612 and the SUBJECT VEHICLE parked in the 6500 block of North Fresno Street Milwaukee, Wisconsin. After the transaction CHS met with case agents and turned over the illegal drugs. The weight was 6.9 grams. The drugs were tested with a NARC II Methamphetamine/MDMA test kit. The test result was positive for methamphetamine. The methamphetamine was packaged and placed into evidence.

**e. Fifth Controlled Drug Purchase – March 15, 2023**

15. On March 15, 2023, under the supervision of case agents CHS contacted LOZANO on telephone number 414-399-4183 to set up a controlled purchase of methamphetamine using text and voice. CHS was instructed by LOZANO to go to the area of North 91st Street and West Good Hope Road in Milwaukee, Wisconsin. CHS was then instructed by LOZANO to go to the area of West Good Hope Road in the area of North 76th Street. CHS met with LOZANO and exchanged US Currency for suspected methamphetamine. Law enforcement observed LOZANO drive in the SUBJECT VEHICLE to the designated meet location and leave in the SUBJECT VEHICLE after the controlled buy was completed. After the transaction, CHS met with case agents and turned over the illegal drugs. The weight of the drug was 6.22 grams. The drugs were tested

with NARTEC METH-1 Methamphetamine/MDMA and NARTEC AMPHETAMINE/OPIATES Marquis Reagent test kits. Both tests were positive for methamphetamine. The methamphetamine was packaged and placed into evidence.

**f. Sixth Controlled Drug Purchase – April 7, 2023**

16. On April 7, 2023, under the supervision of case agents CHS contacted LOZANO on telephone number 414-399-4183 to set up a controlled purchase of methamphetamine using text and voice. CHS was instructed by LOZANO to go to Fond du Lac Super Foods, located at 10212 West Fond du Lac Avenue Milwaukee, Wisconsin. CHS met with LOZANO and exchanged US Currency for suspected methamphetamine. Law enforcement observed LOZANO drive in the SUBJECT VEHICLE to the designated meet location and leave in the SUBJECT VEHICLE after the controlled buy was completed. After the transaction, CHS met with case agents and turned over the illegal drugs. The weight of the drug was 10.02 grams. The drugs were tested with NARTEC METH-1 Methamphetamine/MDMA and NARTEC AMPHETAMINE/OPIATES Marquis Reagent test kits. Both tests were positive for methamphetamine. The methamphetamine was packaged and placed into evidence.

**g. Seventh Controlled Drug Purchase – June 9, 2023**

17. On June 9, 2023, under the supervision of case agents CHS contacted LOZANO on telephone number 414-399-4183 to set up a controlled purchase of methamphetamine using text and voice. CHS was instructed by LOZANO to go to Speedway Gas Station located at 9200 West Bluemound Road Milwaukee, Wisconsin. CHS met with LOZANO and was directed to follow LOZANO. CHS stopped with LOZANO on North 91<sup>st</sup> Street, north of Bluemound Road, in Milwaukee, Wisconsin, and exchanged US Currency for suspected methamphetamine. Law enforcement observed LOZANO drive in the SUBJECT VEHICLE (with no license plates affixed)

to the designated meet location and leave in the SUBJECT VEHICLE after the controlled buy was completed. After the transaction, CHS met with case agents and turned over the illegal drugs. The weight of the drug was 10.43 grams. The drugs were tested with NARTEC METH-1 Methamphetamine/MDMA and NARTEC AMPHETAMINE/OPIATES Marquis Reagent test kits. Both tests were positive for methamphetamine. The methamphetamine was packaged and placed into evidence.

### **C. CHS Information**

18. On March 15, 2023, case agents were debriefing with CHS regarding the controlled buy from that day. During this meeting case agent learned CHS, while not under the supervision of law enforcement, obtained a clozapine and razapine from an individual. CHS reached out to LOZANO in order to sell the substances and obtain money. On March 9, 2023, CHS meet with LOZANO and exchanged the controlled substance for four ecstasy pills and \$150. CHS then consumed two of the ecstasy pills and threw the remining pills out. CHS then used the money to make a car insurance payment. Case agents later reviewed electronic communication and court authorized electronic surveillance of LOZANO and verified all this information. CHS was admonished by law enforcement.

19. CHS's information is credible and reliable regardless of the unauthorized meeting with LOZANO on March 9, 2023. CHS has provided information to certified Wisconsin law enforcement in the past, pertaining to individuals involved in illegal activities, which have been independently verified. The information has been verified through controlled buys, video recordings obtained during the controlled buys, queries through law enforcement databases, and surveillance. This includes the controlled buys and communication with LOZANO outlined above. CHS has a past criminal history including arrest for drugs, theft, child neglect and operating

a vehicle while impaired offenses. CHS has cooperated with law enforcement in exchange for consideration on a state felony drug charge and CHS is also receiving monetary compensation for services rendered.

**D. Additional Information as to SUBJECT VEHICLE**

20. Case agents reviewed databases which indicated that the SUBJECT VEHICLE is registered to Nathan M. LOZANO (DOB XX/XX/1979), with a listed address in the City of West Allis, Wisconsin. A TransUnion (TLOxp) Law Enforcement records search was conducted on April 25, 2023, showing Nathan M. LOZANO and Noel R. LOZANO as related. Nathan M. LOZANO's involvement in the target offenses is unknown at this time.

21. On the morning of April 3, 2023, the SUBJECT VEHICLE with State of Wisconsin Registration AMW-3092 affixed to the rear bumper and a distinct black painted front bumper and front passenger side quarter panel, was seen parked in LOZANO's driveway of 6523 North Fresno Street, Milwaukee, Wisconsin. Case agents also observed numerous surveillance cameras at this location.

22. In the afternoon of June 15, 2023, the SUBJECT VEHICLE with a distinct black painted front bumper and front passenger side quarter panel and no license plates affixed, was seen parked in the 6500 block of North Fresno Street, Milwaukee Wisconsin, just south of the driveway belonging to 6523 North Fresno Street, Milwaukee, Wisconsin (Figure 1).

23. Through the review of electronic surveillance records, law enforcement identified May 24, 2023, as the last known date that State of Wisconsin Registration AMW-3092, was affixed to the SUBJECT VEHICLE with distinct black painted front bumper and front passenger side quarter panel (Figure 2).



Figure 1



Figure 2

24. On April 7, 2023, Magistrate Judge Nancy Joseph authorized the use of a tracking device on the SUBJECT VEHICLE. Unfortunately, given the security cameras and safety concerns, the tracking device was never installed.

25. Based on the facts outlined above in this affidavit, I believe that the SUBJECT VEHICLE is presently being used in furtherance of violations 21 U.S.C. §§ 841 and 846, and that there is probable cause to believe that the installation of a tracking device on the SUBJECT VEHICLE and use of the tracking devices will lead to evidence, fruits, and instrumentalities of the aforementioned crimes as well as to the identification of individuals who are engaged in the commission of those and related crimes.

#### TECHNICAL BACKGROUND



26. Law enforcement has observed LOZANO using various vehicles over the course of the investigation including and most recently the SUBJECT VEHICLE on June 9, 2023. The SUBJECT VEHICLE has also been parked in LOZANO's driveway of 6523 North Fresno Street Milwaukee, Wisconsin, as recently as April 3, 2023, and in the 6500 block of North Fresno Street Milwaukee, Wisconsin, as recently as June 15, 2023. Law enforcement therefore believes, based on the foregoing, that the SUBJECT VEHICLE is presently within the Eastern District of Wisconsin.

27. In order to track the movement of the SUBJECT VEHICLE effectively and to decrease the chance of detection, law enforcement seeks authorization to place a tracking device on the SUBJECT VEHICLE while it is in the Eastern District of Wisconsin. Because LOZANO sometimes parks the SUBJECT VEHICLE in the driveway and on other private property, it may be necessary to enter onto the private property, specifically 6523 North Fresno Street, Milwaukee, Wisconsin. However, investigators will not move the SUBJECT VEHICLE from said property to affect the installation, repair, replacement, and removal of the tracking device.

28. To ensure the safety of the executing officers and to avoid premature disclosure of the investigation, it is requested that the court authorize installation, maintenance, and removal of the tracking device during both daytime and nighttime hours.

29. In the event the Court grants this application, there will be periodic monitoring of the tracking device during both daytime and nighttime hours for a period not to exceed 45 days following issuance of the warrant. The tracking device may produce signals from inside private garages or other such locations not open to the public or visual surveillance.

### **CONCLUSION**

30. Based on the foregoing, I request that the Court issue the proposed search warrant,

pursuant to Federal Rule of Criminal Procedure 41 and 18 U.S.C. § 3117, that authorizes law enforcement, including but not limited to your affiant and technicians assisting in the above-described investigation, to install a tracking device on the SUBJECT VEHICLE within the Eastern District of Wisconsin within 10 days of the issuance of the proposed warrant; to maintain, repair, and/or replace the tracking device as necessary, and to remove the tracking device from the SUBJECT VEHICLE after the use of the tracking device has ended; to install, maintain, and remove the tracking device during both daytime and nighttime hours; to surreptitiously enter 6523 North Fresno Street, Milwaukee, Wisconsin driveway to access the SUBJECT VEHICLE to effect the installation, repair, replacement, and removal of the tracking device; and to monitor the tracking device for a period of 45 days following the issuance of the warrant, including when the tracking device is inside private garages and other locations not open to the public or visual surveillance, both within and outside the Eastern District of Wisconsin.

31. In accordance with 18 U.S.C. § 3103a(b) and Federal Rule of Criminal Procedure 41(f)(3), I further request that the warrant delay notification of the execution of the warrant for 90 days after the end of the authorized period of tracking (including any extensions thereof) because there is reasonable cause to believe that providing immediate notification may have an adverse result, as defined in 18 U.S.C. § 2705. Providing immediate notice would seriously jeopardize the ongoing investigation by prematurely revealing its existence and giving suspects an opportunity to flee from prosecution, destroy or tamper with evidence, intimidate potential witnesses, notify confederates, and change patterns of behavior.